

10/letter to Examiner  
3/5/03  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: C. M. Whitehouse  
Serial No. 09/901,428  
Filed : July 9, 2001

January 22, 2003

Examiner: B. C. Anderson  
Art Unit: 2881

For: Multipole Ion Guide Mass Spectrometry...

Attorney Docket No. 840.052.203

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VIA FAX (703) 872-9318

Hon. Commissioner of Patents & Trademarks  
Washington, D.C. 20231

JAN 22 2003

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COMMUNICATION

Sir:

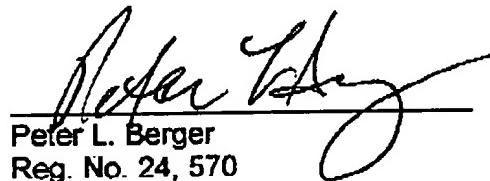
Subsequent to receipt of the Official Action of November 18, 2002, the undersigned telephoned Examiner Anderson, who was on vacation. Ultimately, the undersigned spoke with Mr. John Lee and raised the question that the Office Action of November 18<sup>th</sup> was probably incorrectly issued because a request to declare an interference had been submitted with the response of September 3, 2002.

I communicated with Mr. Lee at least four or five times from that point and approximately one week ago was advised that Mr. Anderson had returned from leave and would be reissuing an Office Action dealing with the question of whether or not an interference would be declared.

As a consequence, I was advised that I did not need to reply to the Office Action of November 18, 2002, as that was going to be withdrawn.

In order that this application not inadvertently become abandoned, I am filing this communication to request that the Office Action of November 18, 2002 be withdrawn so that there is no requirement that there is any outstanding response due to be filed to the Patent Office.

Respectfully submitted,



Peter L. Berger  
Reg. No. 24, 570

Dated: January 22, 2003

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Whittlehouse

Docket No.

840.052.203

Serial No.  
09/901,428Filing Date  
7/9/01Examiner  
R. C. AndersonGroup Art Unit  
2881

Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY....

I hereby certify that this Communication  
*(Identify type of correspondence)*  
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9318)  
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Wanda Ruggiera*(Typed or Printed Name of Person Signing Certificate)*  
*(Signature)***FAX RECEIVED**

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